

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF REVIEW,)	ADMINISTRATIVE ORDER
TRANSMITTAL AND TRANSCRIPTION OF)	NO. 2006-053
<u>THE RECORD IN PRELIMINARY HEARINGS</u>)	

WHEREAS, the Superior Court of Arizona in Maricopa County is a court of record; *and*

WHEREAS, Criminal Rules of Procedure 5.5, 5.6 and 5.7 address the applicable rules relative to preliminary hearings; *and*

WHEREAS, the court seeks to improve the means by which testimony is recorded, maintained and transcribed while improving timeliness and reducing costs;

IT IS ORDERED that whenever digital recording equipment is available and is an appropriate means by which to record testimony, it will be used to record preliminary hearings and be considered the official record for these matters; *and*

IT IS ORDERED that a preliminary hearing record shall only be transcribed upon the request of a party and when there is a finding that there is a material need for the transcript (CR Rule Pro. 5.6); *and*

IT IS ORDERED that a request to provide a preliminary hearing de novo will be considered by the presiding criminal department judge and granted upon the finding that the electronically recorded testimony is not audible and that the missing or otherwise unintelligible recorded transmission is of a material nature in the defense or prosecution of the case; *and*

IT IS ORDERED that each and every request approved for transcription will be transcribed and delivered to the requesting party within ten (10) days from the date of the request; *and*

IT IS FURTHER ORDERED that any single hearing that exceeds one hour in length will be automatically transcribed.

DATED this 5th day of May, 2006

Barbara Rodriguez Mundell
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. James Keppel, Criminal Department Presiding Judge
Hon. Brian Ishikawa, Criminal Department Associate Presiding Judge
Hon. Sylvia Arellano, Presiding Judge Southeast Division
Hon. Michael Jeans, Clerk of the Superior Court
Hon. Andrew Thomas, County Attorney
Marcus Reinkensmeyer, Judicial Branch Administrator
James Haas, Public Defender
Robert Briney, Legal Defender
Mark Kennedy, Office of Contract Counsel
Susan Sherwin, Office of the Legal Advocate
Phillip Knox, General Jurisdiction Courts Administrator
Peter Kiefer, Criminal Court Administrator